

No. 11748/1L.—Whereas it appears to the Governor of Haryana that land specified below is needed by the Government, at public expense, for a public purpose, namely, for the construction of Kharkhari Distributary from RD 0 to 6163 taking off RD. 2000 right Nigana Canal in village Kharkhari Makhwan in tehsil and District Bhiwani, it is hereby notified that the land in the locality specified below is to be required for the above purpose.

This notification is made under the provisions of section 6 of the Land Acquisition Act, 1894, for the information of all to whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorises the officers of Irrigation Department for the time being engaged in the undertaking alongwith their servants, workmen etc. to enter upon and survey land in the locality and do all other acts required or permitted by the section.

Further, where as the Governor of Haryana is satisfied that the land is required for Kharkhari Disty. which is of very urgent importance with in the meaning of clause (c) of sub-section (2) of section 17 of the said Act and where as the Governor of Haryana is of the opinion that the provisions of sub section (2) of the said section thus applicable of sub section (2) of the said section thus applicable. It is hereby directed under sub-section (4) of section 17 of the said Act that the provisions of section 5A of the said act shall not apply in regard to this acquisition.

#### SPECIFICATIONS

District	Tehsil	Name of Village	Area in acres	Boundary
A strip of land measuring 6163 feet in length and varying widths comprising of part Field Numbers given as under:—				
Bhiwani	Bhiwani	Kharkhari Makhwan	8.515	49 1. 2, 9, 10, 6, 13, 14, 15, 18, 19, 20, 21, 22 51 88 24, 25, 2, 3, 4, 5, 8, 19, 10, 11, 6, 10, 11, 13
Total			8.515	87 14, 15, 14, 15, 16, 17, 18, 19, 21, 22, 23 94 95 1, 3, 4, 5, 2, 9, 10, 9 2 2 1

Generally lying in the direction of North-East to West as demarcated at site and shown on the Index Plan.

No. 11748/1L.—Whereas it appears to the Governor of Haryana that land specified below is needed by the Government, at public expense, for a public purpose, namely, for the construction of Nigana-Disty. from RD 0 to RD 19500 taking off RD 3245/left Nigana canal in villages Kharkhari Makhwan, Dharan, Nigana Kalan, Nigana Khurd in tehsil Bhiwani, district Bhiwani, it is hereby notified that the land in the locality specified below is to be required for the above purpose.

This notification is made under the provisions of section 4 of the Land Acquisition Act, 1894, for the information of all to whom it may concern.

In exercise of the powers conferred by the aforesaid section, the Governor of Haryana hereby authorises the officers of Irrigation Department for the time being engaged in the undertaking alongwith their servants, workmen, etc. to enter upon and survey land in the locality and do all other acts required or permitted by that section.

Further, whereas the Governor of Haryana is satisfied that the land is required for the Nigana Disty, which is of very urgent importance within the meaning of clause (c) of sub-section (2) of section 17 of the said Act and whereas the Governor of Haryana is of the opinion that the provision of sub-section (C) of the said section 17 thus applicable, it is hereby directed under sub-section (4) of Section 17 of the said Act that the provisions of Section 5-A of the said Act shall not apply in regard to this acquisition.

## SPECIFICATION

District	Tehsil	Village	Area in Acres	Boundaries		
Bhiwani	Bhiwani	Kharkharti	Makhwan 0.214	A strip of land measuring 19,500 feet in length and varying in widths comprising of Part Field Numbers etc. given as under :-		
Do	Do	Dharan	26.9	90		
				7, 8		
				8	9	
Do	Do	Dharan	26.9	20, 21	14, 15, 16, 11, 25	
				14		
				1, 2, 8, 9, 14, 13, 17, 24, 25		
				23	24	
				1, 10, 9, 11, 12, 18, 19, 23, 24	5	
				32	33	
				4, 5, 6, 7, 15	20, 21, 22	
				39	49	
				2, 3, 7, 8, 14, 15, 16, 17, 25	1, 2, 9, 10, 12,	
				49	57	
				13, 18, 19, 22, 23	2, 3, 8, 9, 12, 13, 18, 19	
				57	66	
				22, 23	2, 3, 8, 9, 12, 13, 18, 19, 22, 23	
				74	75	
				2, 3, 8, 9, 10, 11, 12, 20	15, 16, 17, 25, 24	
				81		
				4, 5, 6, 7, 14, 15		
Do	Do	Nigara Kalan	5.30	5	17	
				14, 15, 16, 17, 24, 25	4, 5, 6, 7, 14, 15, 16, 17, 24, 25	
				61		
				4, 5, 6, 7, 14, 15, 16, 17, 24, 25		
				66		
				4, 5, 6, 7, 14, 15, 16, 17, 24, 25		
				74		
				4, 5, 6, 7, 14, 15, 16, 17, 24, 25		

District	Tehsil	Name of Village	Area in Acres	Boundaries	
Bhiwani	Bhiwani	Nigana Khurd	6.59	134	137
			4, 5, 6, 7, 14, 15, 16, 17, 24, 25	4, 5, 6, 7	
			137	142	
			14, 15, 16, 17, 24, 25	4, 5, 6, 7, 14, 15, 16, 17, 24, 25	
			144		
			4, 5, 6, 7, 14, 15, 16, 17, 24, 25		
			148	26	51
			4, 5	24, 25	4, 5
Total			39.04	Generally lying in the direction of north-west to east-south as demarcated at site and shown on the index plan	

By order of Governor of Haryana.

Dr. G. P. MALHOTRA,  
Superintending Engineer,  
B. N. C. Canal Circle, No. 2, Hissar.

#### CORRIGENDUM

In Haryana Government Gazette, dated 27th August, 1974, Part I, Page 979, notification No. 13548, dated 14th August, 1974, under Specification in Column 5, read '4375' for '4.375'.

#### LABOUR DEPARTMENT

The 15th January, 1975

No. 431-4Lab-75/1706.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of Messrs Sehklos and Company, Faridabad.

BEFORE SHRI O.P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

Reference No. 24 of 1974

between

SHRI BACHA SINGH, WORKMEN AND THE MANAGEMENT OF M/S SEHKLOS AND COMPANY  
87, SECTOR 6, FARIDABAD

Present :

Shri Ashok Kumar, for the workman.

Shri Nand Lal, for the management

## AWARD

The following dispute between the management of M/s Schklos and Company 87, Sector-6, Faridabad and its workman Shri Bacha Singh was referred for adjudication to this Tribunal,—id order No. ID FD/73 5672, dated 5th March, 1974 of the Governor of Haryana, in exercise of the powers conferred by clause (d) of sub-section(1) of section 10 of the Industrial Disputes Act, 1947.

Whether the termination of services of Shri Bacha Singh was justified and in order? If not, to what relief is he entitled?

On receipt of the order of reference usual notices were given to the parties. The workman concerned has not appeared to pursue his claim nor has he filed any statement of claim although the case has been adjourned several times for this purpose. On an earlier date his representative Shri Ashok Kumar, office bearer of the INTUC, Faridabad had stated that he had written to the workman who had gone to his native place but received no reply. On his request further adjournment was granted but the statement of claim has still not been filed. Shri Ashok Kumar has stated that he has no instructions from the workman concerned to proceed with the reference. On the other hand the authority representative of the management Shri Nand Lal has stated that this workman had in fact left service of his own accord and received in full dues.

In the circumstances, no further proceedings are called for especially when the workman is not himself coming forward to pursue his claim and a no-dispute award is accordingly given him without any order as to costs.

Dated the 27th December, 1974

O. P. SHARMA,

Presiding Officer,  
Industrial Tribunal, Haryana, Faridabad

No. 4, dated the 2nd January, 1975

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated the 2nd January, 1975

O. P. SHARMA,

Presiding Officer,  
Industrial Tribunal, Haryana, Faridabad

No. 476-4Lab-75/1708.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Ganesh Commercial Co. P.O. Amar Nagar, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA,  
FARIDABAD

Reference No. 106 of 1974

between

SHRI AKRAMULHAK WORKMEN AND THE MANAGEMENT OF M/S GANESH  
COMPANY POST OFFICE AMARNAGAR, 12/5, MATHURA ROAD, FARIDABAD

Present:

Nemo, for the workmen.

Shri R. C. Sharma, for the management

## AWARD

Shri Akramulhak workman concerned was in the service of M/s. Ganesh Commercial Company, Post Office Amar Nagar, 12/5 Mathura Road, Faridabad. The management allegedly terminated his services with effect from 30th April, 1974 without any justification. He gave the demand notice on the same day asking for reinstatement but without success. The matter was taken up for conciliation which also ended in failure.

On receipt of the failure report from the Conciliation Officer, the Governor of Haryana referred the dispute for adjudication to this Tribunal in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947.

vide order No. ID/FD/940-A-74/30302, dated 26th August, 1974 with the following terms of reference:—

Whether the termination of services of Shri Akramulhak was justified and in order? If not, to what relief is he entitled?

The parties put in their respective pleadings.

The workman reiterated his demand for reinstatement and payment of back wages as earlier raised through the demand notice the subject matter of the present reference. The management, on the other hand, pleaded that it was a case of self abandonment of service by the workman. Shri Akramulhak who was required to file his rejoinder today has elected not to appear in person or through authorised representative to pursue his claim. The management, on the other hand, has filed two applications addressed by the workman asking for the settlement of his account as he had joined service in some other concern and the other that he had no dispute left and did not want to proceed with the present reference.

Shri R. C. Sharma, authorised representative of the management has made his statement on oath that this workman had approached the management on 28th November, 1974 for the clearance of his account and a sum of Rs. 238.30 found due as per mutual calculations was paid to him.—*id* receipt Exhibit M-2 which is signed by him. He has also proved the aforesaid applications of the workman Exhibit M-1 asking for the settlement of his account and Exhibit M-2 that he did not want to proceed with the present reference.

In view of the above, no further proceedings are called for and a no dispute award is given in terms of the above settlement arrived at between the parties holding that Shri Akramulhak workman concerned is not entitled to any further relief. There shall, however, be no order as to costs.

O. P. SHARMA,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

Dated the 27th December, 1974

No. 3, dated 2nd January, 1975.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 430-4Lab-75/1710.—In pursuance of the provisions of Section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workmen and the Management of M/s National Laboratories, Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD

Reference No. 184 of 1974.

between

SHRI VINOD KUMAR ARORA, WORKMAN AND THE MANAGEMENT OF M/S  
NATIONAL LABORATORIES, 20TH MILE STONE, MATHURA ROAD,  
FARIDABAD

Present :

Nemo, for the workman.

Shri K. P. Aggarwal, for the management.

#### AWARD

Shri Vinod Kumar workman concerned was in the service of M/s. National Laboratories, 20th Mile Stone, Mathura Road, Faridabad. The management allegedly terminated his services with effect from 2nd May, 1974. He gave the demand notice, dated 26th June, 1974 which forms part of the present reference whereupon conciliation proceedings were started which, however, ended in failure.

On receipt of the failure report from the Conciliation Officer, the Governor of Haryana, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 referred the dispute for adjudication to this Tribunal.—*vide* order No. ID/FD/74/37486, dated 15th November, 1974 with the following terms of reference.

Whether the termination of services of Shri Vinod Kumar Arora was justified and in order? If not, to what relief is he entitled?

Usual notices were given to the parties. The workman concerned has not turned up nor is he represented by any authorised representative. On behalf of the management it has been urged that after the failure of the conciliation the workman had approached the management for an settlement and an amicable settlement was arrived at, as per terms and conditions given in the memorandum of settlement dated 29th August, 1974 copy Exhibit M. 1. This settlement was arrived at in the presence of the Conciliation Officer who had attested the memorandum of settlement. It has further been stated that in pursuance of the settlement the workman has collected his dues in full and final settlement of his entire claim against the management including the right of reinstatement or re-employment.—*vide* receipt, dated 2nd September, 1974 copy Exhibit M. 2 which is signed by him and witnessed by one Shri Ramayat Prashad. Shri K. P. Aggarwal, authorised representative of the management has sworn testimony to the correctness of the settlement and the documents referred to above.

In view of the above, no further proceedings are called for and a no dispute award is given in terms of the settlement arrived at between the parties holding that the workman concerned is not entitled to any other relief. In the circumstances, there shall be no order as to costs.

O. P. SHARMA,

Dated the 1st January, 1975

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 6, dated 2nd January, 1975.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Dated the 1st January, 1975.

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 163-4Lab-73/1731.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad in respect of the dispute between the workman and the management of M/s. Haryana Roadways, Ambala City.

**BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL,  
HARYANA, FARIDABAD**

Application No. 16 of 1973, under section 33-A of the Industrial Disputes Act, 1947

*between*

**SHRI LABH SINGH BALL, WORKMAN AND THE MANAGEMENT OF M/S. HARYANA  
ROADWAYS, AMBALA CITY**

*Present:*—

Shri Labh Singh concerned workman with Shri D. S. Rekhi authorised representative

Shri S. N. Gaur, Legal Advisor, for the respondent.

#### AWARD

The facts relevant for the disposal of the present complaint under section 33-A of the Industrial Disputes Act, 1947, as made out from the record, may briefly be stated as under:—

The employees of the Haryana Roadways had raised a dispute for payment of bonus at higher rate which was registered as reference No. 1 of 1969. During the pendency of that reference the complainant Shri Labh Singh was retrenched from service. Feeling aggrieved, he has brought this complaint alleging that the impugned order of his retrenchment has been made by contravening the provisions of section 33 of the Industrial Disputes Act, 1947 and he is entitled to reinstatement and payment of back wages.

The management has contested his claim as being without any merits. The following issue arose for determination:—

Whether the management has contravened the provisions of section 33 of the Industrial Disputes Act, 1947 by passing the impugned order of retirement of the complainant from service? If so, with what relief he is entitled to?

Shri Labh Singh, complainant has made his own statement without producing any document. On the other hand Shri Raj Pal, Dealing Clerk has been examined by the management who has deposed that the complainant was retired on 15th April, 1969 on his attaining the age of 55, after giving him notice for three months. He has further deposed that the employees of the Roadways are governed by the C. S. R.

I have heard arguments advanced on both side. The law is clear on the point. It is within the discretion of the Government to retain an employee into service up to the age of 58 years but in case it is not considered desirable to keep him in service after he crosses the age of 55 years he can be retired from service by giving him three months notice and without assigning any reason which is actually stated to have been done in the present case. The complainant has brought nothing on record to show that he had been retired on attaining the age of 55 years by way of punishment or any stigma had been attached to him by means of the order of retirement. In the circumstances, it cannot be held that the retirement order of Shri Labh Singh complainant was not justified and in order, and that being so, the provisions of section 33 of the Industrial Disputes Act are not attracted to the facts of the case to justify a complainant under section 33-A. The learned representative of the complainant has not been able to satisfy me to the contrary.

For the reason aforesaid the issue is decided against the complainant and in favour of the management and, in the result, the complaint shall stand dismissed as being not maintainable but there shall be no order as to costs.

O. P. SHARMA,

Dated 23rd December, 1974.

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 1807, dated 24th December, 1974.

Forward (four copies) to the secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated 20th December, 1974.

O. P. SHARMA,

Presiding Officer,  
Industrial Tribunal, Haryana,  
Faridabad.

No. 13-4Lab-75/1733.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947 (Act No. XIV of 1947), the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Rohtak, in respect of the dispute between the workmen and the management of M/s Bata Shoe Co. (P) Ltd. now Bata India Ltd., Faridabad.

BEFORE SHRI O. P. SHARMA, PRESIDING OFFICER, LABOUR COURT,  
HARYANA, ROHTAK

Reference No. 127 of 1972

between

SHRI KUMAR PAL SINGH AND THE MANAGEMENT OF M/S BATA SHOE COMPANY  
(P) LTD. NOW BATA INDIA LTD., FARIDABAD

Present:

Shri Darshan Singh, for the workman.

Shri A. N. Pareekh and Shri L. K. Narain, for the management.

## AWARD

The following dispute between the management of M/s Bata Shoe Company (P) Ltd., now Bata India Ltd., Faridabad was referred for adjudication to this court, by order No. ID/FD/16-G/111358-62, dated 3rd April, 1972 of the Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (i) of Section 10 of the Industrial Disputes Act, 1947.

"Whether the termination of services of Shri Kumar Pal Singh was justified and in order? If not, to what relief is he entitled?"

The parties put in their respective pleadings giving rise to the following issues:—

1. Whether Shri Kumar Pal Singh was a workman of the establishment concern as defined under the Industrial Disputes Act, 1947?
2. Whether an industrial dispute existed between the parties before the matter was taken up for conciliation?
3. Whether Shri Kumar Pal Singh had followed the Grievance Procedure as laid in the Standing Orders of the Company? If not to what effect?
4. Whether the present dispute can be treated as an individual dispute under section 2-A of the Industrial Disputes Act, 1947?
5. Whether the Industrial Workers Union can represent the applicant in the present proceedings under section 36 of the Industrial Disputes Act, 1947?
6. Whether the termination of services of Shri Kumar Pal Singh was justified and in order? If not, to what relief is he entitled?

The workman concerned has made his own statement besides examining Shri Darshan Singh, President, Industrial Workers Union, Faridabad as W.W. 2. He has further placed reliance upon some documents including copy of demand notice, dated 18th November, 1971 Ex. W.W. 1/1, postal receipt Ex. W.W. 1/2, A.D. receipt Ex. W.W. 1/3, union membership subscription receipts Exs. W.W. 1/4, W.W. 1/5, copy of the annual return of the union Ex. W.W. 2/1, postal receipt Ex. W.W. 2/2, list of the office bearers of the union Ex. W.W. 2/3, postal receipt Ex. W.W. 2/4 and letter of authority in favour of Shri Darshan Singh Ex. W.W. 2/5.

On the other hand, the management has examined one witness Shri L. K. Narain, Personal Officer and placed on record two documents namely the Certified Standing Orders of the Company Ex. M. 1 and copy of the comments, dated 29th December, 1971 submitted to the conciliation Officer Ex. M. 2.

After the close of the evidence on both sides the case was adjourned twice for arguments as the learned representative of the workman was not available. He has not appeared even today and the workman has also not turned up. I have, therefore, heard the learned representative of the management and given a careful consideration to the facts on record.

Preliminary issues Nos. 4 and 5 have not been seriously pressed on behalf of the management and the same are, therefore, decided in favour of the workman, taking into consideration the statement of Shri Darshan Singh, President of Industrial Workers Union, Faridabad read with the documents proved by him namely a copy of the annual return Ex. W.W. 2/1, list of the office bearers of the union Exs. W.W. 2/3 and the receipts of membership subscription Exs. W.W. 1/4 and W.W. 1/5.

*Issue No. 2—*

With regard to this issue the law is very well settled. As laid down by Hon'ble the Supreme court in the oft-quoted Sindhia Re-settlement Corporation Case, the demand has first to be raised on the management and rejected by it before taking up the matter for conciliation so as to constitute an industrial dispute as defined under section 2-(J) of the Industrial Disputes Act, 1947. This necessary requirement of the law is not proved to have been satisfied in the instant case. There is no cogent and convincing evidence to establish that the present workman had approached the management by giving a demand notice or otherwise before taking up the matter for conciliation. From his own evidence it is clear that the demand notice to the management was given simultaneously with the copies of the demand notice to the Conciliation Officer whereupon conciliation proceedings were initiated. According to the statement of Shri L. K. Narain, Personal Officer, the demand the subject matter of the present dispute, was for the first time communicated to the management by the Conciliation Officer which was not sufficient compliance of the rule of law as laid down in the aforesaid authority. In other words no industrial dispute existed between the parties which could validly be referred for adjudication to this court. The issue is accordingly decided in favour of the management and against the workman.

Issue No. 3

The burden of this issue was also on the workman concerned. But on a careful scrutiny of the evidence on record, I am constrained to observe that he has failed to discharge the same. The certified standing orders of the Company copy Ex. M. 1 on record provide a Grievance Procedure for the settlement of such disputes, as laid down in clause 32, before taking recourse to legal proceedings. This provision in the Certified Standing Orders may usefully be reproduced as under :—

*"Clause 32 (Grievance Procedure)*

If a workman desires to dispute or feels dissatisfied from any order passed against him by the Company or by the Personnel Welfare Officer under these Standing Orders and Rules other than in respect of an order arising out of any complaint made by him, the following procedure will be adopted :—

- (a) The workman will be entitled to appeal in writing to the Works Committee, if in existence, within five days of receipt of such order. If the Works Committee arrives at any unanimous decision it will make recommendation to the Company to implement such unanimous recommendations which decision will be binding on the workman and no further appeal shall lie.
- (b) If, however, no unanimous recommendation could be made by the Works Committee, in that event the workman will be entitled to appeal to the Chairman of the Company within one month from the receipt of the intimation from the Works Committee. On receipt of the Chairman's decision, if the workman will feel dissatisfied, in that event within one month from the date of receipt of decision of the Chairman, he through his Union would be entitled to take recourse to such remedy as may be available under the Industrial Disputes Act of 1947 to redress his grievance."

Amittedly, the present workman had not followed this Grievance Procedure and that being so, there could not be any valid reference of the dispute between the parties, if any for adjudication to the Labour Court/Tribunal as contemplated under section 10 of the Industrial Disputes Act, 1947. The issue is accordingly decided against the workman and in favour of the management.

Issues Nos. 1 and 6 may safely be taken up together. From the evidence produced on both sides, it is established beyond any shadow of doubt that Shri Kumar Pal Singh the present claimant, was only a casual worker and his services were engaged by the management, if and when required. He was not a regular employee nor was any appointment letter or attendance card issued to him. The management did not terminate his services nor has any termination order been brought on record. In fact, the case of Shri Kumar Pal Singh as made out from the record, is that the management had not given him employment for which he had apparently, no legal right, being only a casual worker as already pointed out. In the circumstances, the question of the termination of his services by the management and its justification does not arise for consideration in the present reference. Issues Nos. 1 and 6 are accordingly decided in favour of the management and against the workman.

In view of may above findings on the issues involved, no industrial dispute existed between the parties which could validly be referred for adjudication to this court. Even otherwise, Shri Kumar Pal Singh, workman concerned is not entitled to any relief by way of reinstatement or payment of back wages for the simple and obvious reason that being only casual worker whose services were engaged by the management, if and when required, he had no legal right for employment. The award is made accordingly but without any order as to costs.

O. P. SHARMA,

Dated 23rd December, 1974.

Presiding Officer,  
Labour Court, Haryana,  
Rohtak.

No. 2918, dated 26th December, 1974.

Forwarded (four copies) to the Secretary to Government of Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

O. P. SHARMA,

Presiding Officer,  
Labour Court, Haryana.  
Rohtak.